

Remarks

Claims 2, 4, 5, 8, 9, 10 and 11 have been deleted. New claims 12 to 17 have been added.

Among other things, Claim 1 has been amended to stipulate for the presence of an electrical circuit adapted be powered by a low -voltage current supplied by a battery, Claim 3 to depend from Claim 1, Claim 6 to provide that the second electrode comprises a conductive connection means, and Claim 7 to depend from Claim 6.

The examiner's observations respecting the use of form PTO -1449 are noted and appreciated.

The examiner had applied Lau as a 35 USC 102 reference to all of the claims. This is inappropriate for the claims as now pending for the following reasons.

Claim 1 stipulates at para 1b) for the presence of "an output capacitor means". There is no teaching in Lau as to the presence of such an output capacitor. Figure 3B, which is a schematic of the circuit, does not show the presence of such a capacitor. The disclosure does propose a duty cycle of 10% (column 6, line 52), but clearly teaches that pulses are being delivered by the high -voltage generator to the electrodes: "When voltage or pulses from the high -voltage generator 170 are coupled across first and second electrode arrays 230 and 240...." (Column 7, lines 56-58). At column 8, lines 45 to 48 it is observed that adjusting the duty cycle can increase the ion content. Clearly, this indicates that Lau contemplates the presence of an intermittent high -voltage potential across the first and second electrode arrays 230, 240.

By way of contrast, Claim 1 as now amended stipulates that, notwithstanding intermittent oscillations of the oscillator, "... ion emission continues from said ion -emitter during the time the oscillator is not producing oscillations, supplied by charge from the output capacitor means". Accordingly, a 35 USC 102 rejection of Claim 1 is not justified. Since Claim 1 is allowable, Claims 3, 6 and 7 dependent therefrom are also allowable, and do not need to be further discussed.

The examiner had rejected Claim 6 on the basis that Lau depicts a flexible

cord 101 to connect Lau's system to the human body. The features of Claim 6 have now been introduced into new independent Claim 12.

In fact, there is no teaching in Lau or reference to use of a conductive cord. The Lau unit is suspended by "a flexible cord 101 from the neck of the user" (Column 5 line 1). Figure 2B shows this cord 101 as extending around and below the collar of the user. Clearly, the disclosure of spaced-apart first and second arrays of conducting electrodes of Lau does not contemplate the use of the cord as an electrical connection that would allow the human body to function efficiently as a counter electrode. Accordingly, independent Claim 12 is patentably distinct in view of Lau.

Since Claim 12 is clearly allowable, so are its dependent claims 13 -17, which need not be further discussed.

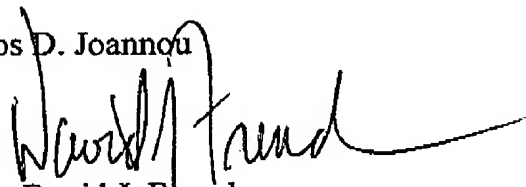
The applicant is contemporaneously providing a supplementary IDS based on recently located prior art. None of it is considered to interfere with the claims as now pending.

Accordingly, reconsideration and a favorable ruling by the examiner is requested.

Respectfully submitted,

Constantinos D. Joannou

Per


David J. French
Reg. No. 31,229

P.O. Box 2486, Stn. "D"
Ottawa, Ontario, Canada K1P 5W6
Telephone: 613-567-7824 x 232 x 231
Telefax: 613-567-4689